

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

EDWIN RIVERA MERCED

DEBTOR(S)

CASE NUMBER: **10-10000-ESL**

CHAPTER 13

NOTICE OF PROPOSED AMENDMENT TO THE CHAPTER 13 PLAN

TO THE HONORABLE COURT:

COMES NOW DEBTORS, represented by the undersigned counsel, and very respectfully ALLEGES and PRAYS as follows:

1. Debtors propose to amend the Chapter 13 Plan for the following reason:

- TO INCREASE THE BASE OF THE PLAN.

WHEREFORE, it is respectfully requested from this Honorable Court to approve the attached proposed amended Chapter 13 plan.

IN SAN JUAN, PUERTO RICO, this 15th day of February of 2011.

I HEREBY CERTIFY: that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the United States Trustee, Chapter 13 Trustee, and we sent copy of this document through regular mail to Debtor(s) and all non-CM/ECF participants interested parties on the master address list.

NOTICE TO CREDITORS AND PARTIES IN INTEREST

TO ALL THE CREDITORS LISTED ON THE ATTACHED MASTER ADDRESS LIST
NOTICE IS HEREBY GIVEN THAT DEBTOR(S) FILED THE
ATTACHED AMENDED PLAN ON February 15th, 2011.
PARTIES IN INTEREST ARE NOTIFIED THAT THEY HAVE TWENTY FIVE (25) DAYS
TO REJECT A PROPOSED MODIFICATION OF THE PLAN AND REQUEST A HEARING.
ABSENT GOOD CAUSE, UNTIMELY REJECTIONS SHALL BE DENIED.

/s/ RODOLFO R. HERNANDEZ RAMOS
ATTORNEY FOR DEBTOR
USDC PR 118012
P. O. Box 19-3997
San Juan, Puerto Rico 00919-3991
Tels. 787-764-3646 / Fax 787-764-9398
rodolfohernandezesq@yahoo.com

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 10-10000-13

RIVERA MERCED, EDWIN

Debtor(s)

Chapter 13

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>2/15/2011</u>	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>1,625.00</u> x <u>4</u> = \$ <u>6,500.00</u> \$ <u>1,725.00</u> x <u>56</u> = \$ <u>96,600.00</u> \$ <u> </u> x <u> </u> = \$ <u> </u> \$ <u> </u> x <u> </u> = \$ <u> </u> \$ <u> </u> x <u> </u> = \$ <u> </u> TOTAL: \$ <u>103,100.00</u> Additional Payments: \$ <u> </u> to be paid as a LUMP SUM within <u> </u> with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ _____ <input type="checkbox"/> Other: _____ _____ Periodic Payments to be made other than, and in addition to the above: \$ <u> </u> x <u> </u> = \$ <u> </u>	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR ^{Popular} Auto <u>\$ 200.00</u> B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. BPPR Cr. _____ Cr. _____ # <u>07-101-001-174189-2</u> # _____ # _____ \$ <u>6,134.94</u> \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. POPULAR AUTO Cr. _____ Cr. _____ # <u>822-001-0817332-0001</u> # _____ # _____ \$ <u>27,061.94</u> \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: <u>AEELA</u> 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>ADMIN SIST RETIRO</u> BPPR C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> ATTORNEY'S FEES WILL BE PAID BEFORE TAXES AND OTHER CREDITORS. INSURANCE FOR THE VEHICLE FINANCED BY POPULAR AUTO WILL BE PROVIDED BY EASTERN AMERICA INSURANCE FOR THE ESTIMATED AMOUNT OF \$969.00. "TAX REFUNDS WILL BE DEVOTED EACH YEAR, AS PERIODIC PAYMENTS, TO THE PLAN'S FUNDING UNTIL PLAN COMPLETION. THE TENDER OF SUCH PAYMENTS SHALL DEEM THE PLAN MODIFIED BY SUCH AMOUNT, INCREASING THE BASE THEREBY WITHOUT THE NEED OF FURTHER NOTICE, HEARING OR COURT ORDER. IF NEED BE FOR THE USE BY DEBTOR(S) OF A PORTION OF SUCH REFUND, DEBTOR(S) SHALL SEEK COURT'S AUTHORIZATION PRIOR TO ANY USE OF FUNDS" UNSECURED CREDITORS WILL BE PAID 100% + 6% INTEREST PER ANNUM.
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,600.00</u>	
Signed: <u>/s/ EDWIN RIVERA MERCED</u> Debtor Joint Debtor	

Attorney for Debtor Rodolfo R. Hernandez Ramos

Phone: (787) 764-3646

RIVERA MERCED, EDWIN
URB. LAS MERCEDES
CALLE 12 NUM. 20
SALINAS, PR 00751

Rodolfo R. Hernandez Ramos
P O BOX 193997
SAN JUAN, PR 00919-3997

ADMIN SIST RETIRO
PO BOX 42003
SAN JUAN, PR 00940-2003

AEELA
PO BOX 364508
SAN JUAN, PR 00936-4508

BPPR
DIVISION DE SERVICIOS HIPOTECARIO
PO BOX 71375
SAN JUAN, PR 00936-7077

DEPARTMENT OF TREASURY
P.O. BOX 9024140
SAN JUAN, PR 00902

POPULAR AUTO
P.O. BOX 15011
SAN JUAN, PR 00902